

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

NATHAN HOTCHKISS,

Defendant.

Criminal No. 5:23-cr-292 (GTS)

**Government Sentencing Memorandum**

**I. Introduction**

Defendant Nathan Hotchkiss is scheduled for sentencing on May 29, 2024, following his conviction by guilty plea pursuant to a Rule 11(c)(1)(C) plea agreement to two counts of sexual exploitation of a child, in violation of Title 18, United States Code, Section 2251(a). The government agrees with the facts, criminal history category, guidelines calculation, and statutory sentencing requirements in the initial Presentence Investigation Report (“PSR”). *See* Dkt. 44.

**II. Sentencing Recommendation**

The government respectfully requests that this Court accept the parties’ Rule 11(c)(1)(C) plea agreement and impose a term of imprisonment of 360 months with lifetime supervised release to follow. The agreed-upon disposition reflects the full set of information concerning the defendant’s horrendous offense conduct and personal history and characteristics. Although below the defendant’s guideline imprisonment, a 360-month imprisonment term is the statutory maximum for a single count of sexual exploitation of a child. Thus, it appropriately reflects the seriousness of Hotchkiss’s offense conduct and, coupled with lifetime supervision after release, the agreed-upon disposition provides just punishment, deterrence, and protects the public from future crimes of the defendant.

The government also respectfully requests that this Court award at least \$3,000 in restitution to any child pornography series victim who has submitted a valid request for restitution.<sup>1</sup>

CARLA B. FREEDMAN  
United States Attorney

*/s/ Michael D. Gadarian*

By:

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Michael D. Gadarian (Bar Roll No. 517198)  
Assistant United States Attorneys

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<sup>1</sup> The government reserves the right to respond to defense arguments raised for the first time after the filing of this memorandum and respectfully requests that the Court provide the parties with any *ex parte* communications received by the Court concerning sentencing, except for the confidential sentencing recommendation submitted by the United State Probation Office.